

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JIM DAWS TRUCKING, LLC,

Plaintiff,

vs.

DAWS, INC., JAMES R. DAWS, LANA
R. DAWS, DAWS TRUCKING, INC.,
and COLUMBUS TRANSPORTATION
& LOGISTICS, LLC,

Defendants.

Case No. 4:24-cv-03177

PLAINTIFF'S MOTION FOR
TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION

Pursuant to Fed. R. Civ. P. 65, Plaintiff Jim Daws Trucking, LLC ("JDT") moves the Court to enter a temporary restraining order ("TRO") and preliminary injunction prohibiting Jim Daws ("Jim") and anyone acting on his behalf or in concert with him, from (1) engaging in or carrying on, either as an owner, part owner, manager, operator, employee, agent, or other participant, in the business of trucking in the continental United States of America, until May 4, 2027, or (2) acting in pursuance of any business opportunity that was presented to Jim while he was employed by JDT, including the venture described in Jeremy Becker's emails to Jim on July 23, 2024 and October 22, 2024.

In support of this Motion, JDT refers the Court to its Complaint, the Declaration of Jim Daws, and its Brief in Support of Temporary Restraining Order. As shown by the evidence before the Court, Jim Daws has violated and is currently violating both his noncompete obligations to JDT and his duty of loyalty to JDT, and these violations have caused and continue to cause irreparable harm to JDT.

WHEREFORE, JDT respectfully requests that the Court enter a TRO as set forth above, grant JDT's request for expedited discovery as set forth in its Motion for Expedited Discovery, which will be filed herewith, set a hearing and briefing schedule to follow on JDT's Motion for Preliminary Injunction, and enter a preliminary injunction as set forth above.

Dated: October 29, 2024

JIM DAWS TRUCKING, LLC,
Plaintiff

By: s/ Andre R. Barry
Andre R. Barry, #22505
Henry L. Wiedrich, #23696
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CERTIFICATE OF SERVICE

I, Andre R. Barry, hereby certify that on October 29, 2024, I electronically filed the foregoing with the Clerk of the United States District Court for the District of Nebraska using the CM/ECF system, which sent notification of such filing to all registered case participants.

s/ Andre R. Barry
Andre R. Barry